

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

UNITED STATES OF AMERICA

VS. CRIMINAL NO. 3:12cr00034-CWR-FKB

DYLAN WADE BUTLER, DERYL PAUL DEDMON,  
AND JOHN PAUL RICE

SENTENCING HEARING

BEFORE THE HONORABLE CARLTON W. REEVES  
UNITED STATES DISTRICT JUDGE  
FEBRUARY 10, 2015  
JACKSON, MISSISSIPPI

APPEARANCES:

FOR THE GOVERNMENT: MR. SHELDON BEER  
MS. PAIGE FITZGERALD  
MS. GLENDA HAYNES

FOR DEFENDANT BUTLER: MS. ABBY BRUMLEY

FOR DEFENDANT DEDMON: MS. CYNTHIA STEWART  
MR. LEE AGNEW

FOR DEFENDANT RICE: MR. SAMUEL MARTIN  
MS. AMANDA MCKENZIE

REPORTED BY: CHERIE GALLASPY BOND  
Registered Merit Reporter  
Mississippi CSR #1012

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1 THE COURT: Good afternoon, ladies and gentlemen. Is  
2 the government ready to call the case?

3 MR. BEER: We are, Your Honor.

4 THE COURT: You may proceed.

5 MR. BEER: The government calls the case of *United*  
6 *States of America v. Dylan Wade Butler, Deryl Paul Dedmon and*  
7 *John Aaron Rice*, criminal number 3:12CR-34. We are here to  
8 commence the sentencing proceedings for all three defendants.  
9 Sheldon Beer, Paige Fitzgerald and Glenda Haynes for the  
10 government. We are also joined at the counsel table by Special  
11 Agent Hentschel of the FBI.

12 THE COURT: Could you spell Mr. Hentschel's last name,  
13 please.

14 MR. BEER: H-E-N-T-S-C-H-E-L.

15 THE COURT: Thank you.

16 MR. BEER: The government is ready to proceed.

17 THE COURT: All right. And who do we have here for  
18 the defendants?

19 MS. STEWART: Your Honor, on behalf of Deryl Paul  
20 Dedmon Cynthia Stewart and Lee Agnew.

21 THE COURT: Okay.

22 MS. BRUMLEY: Your Honor, on behalf of Dylan Butler  
23 Abby Brumley.

24 MR. MARTIN: Your Honor, on behalf of John Aaron Rice,  
25 Sam Martin and Amanda McKenzie.

1 THE COURT: We'll take Mr. Butler first and ask just  
2 some preliminary questions. Mr. Butler, you're here with your  
3 lawyer today, Ms. Abbey Brumley. Are you ready to proceed?

4 MR. BUTLER: Yes, sir.

5 THE COURT: Are you satisfied with the way in which  
6 Ms. Brumley has represented you throughout the course of this  
7 litigation?

8 MR. BUTLER: Yes, sir.

9 THE COURT: Did you receive the presentence report  
10 that was prepared in your case, sir?

11 MR. BUTLER: Yes, sir.

12 THE COURT: Did you discuss that report with your  
13 attorney?

14 MR. BUTLER: Yes, sir.

15 THE COURT: Were you able to -- did she allow you to  
16 ask questions about that report and was she able to answer  
17 those questions -- any questions that you had to your  
18 satisfaction?

19 MR. BUTLER: Yes, sir.

20 THE COURT: Ms. Brumley, do you agree that you've  
21 discussed the presentencing report with your client?

22 MS. BRUMLEY: I do agree, your Honor.

23 THE COURT: There has been a presentencing report  
24 prepared in this matter. Are there any objections to the  
25 report from this defendant?

1 MS. BRUMLEY: No, Your Honor.

2 THE COURT: The court then will adopt the presentence  
3 report as prepared, and I know the government had a motion that  
4 was filed and that motion has been granted.

5 MS. BRUMLEY: Thank you, Your Honor.

6 THE COURT: And now I'll just take up the other two  
7 defendants at this point in time. Mr. Dedmon. Mr. Dedmon,  
8 you're here with your counsel, are you not?

9 MR. DEDMON: Yes, sir.

10 THE COURT: Are you satisfied with the way in which  
11 your counsel has represented you throughout the course of this  
12 litigation?

13 MR. DEDMON: Yes, sir.

14 THE COURT: Have you, sir, received a copy of your  
15 presentence report?

16 MR. DEDMON: Yes, sir.

17 THE COURT: Did you discuss that presentence report  
18 with your attorney?

19 MR. DEDMON: Yes, sir.

20 THE COURT: Did your attorneys allow you to ask  
21 questions about that report and if so were you able to -- were  
22 they able to answer any questions that you had to your  
23 satisfaction?

24 MR. DEDMON: Yes, sir.

25 THE COURT: Ms. Stewart, do you agree that you

1 discussed the presentencing report with your client?

2 MS. STEWART: Yes, Your Honor.

3 THE COURT: Do you agree that you allowed him to ask  
4 any questions about -- and you and your cocounsel were able to  
5 answer those questions to his satisfaction?

6 MS. STEWART: Yes, sir.

7 THE COURT: All right. Now, the report was prepared  
8 in his case. Are there any objections to this defendant's  
9 presentencing report?

10 MS. STEWART: No, Your Honor.

11 THE COURT: Okay. Thank you. I'll take the next  
12 defendant, Mr. John Aaron Rice.

13 MR. RICE: Yes, sir.

14 THE COURT: Are you here with your attorney?

15 MR. RICE: Yes, sir.

16 THE COURT: And are you satisfied with the way in  
17 which your attorney has represented you throughout the course  
18 of this litigation?

19 MR. RICE: Yes, sir.

20 THE COURT: Did you receive, sir, a copy of your  
21 presentencing report?

22 MR. RICE: Yes, sir.

23 THE COURT: Did you and your attorney discuss that  
24 presentencing report?

25 MR. RICE: Yes, sir.

1 THE COURT: Did he allow you to ask questions about  
2 that report, and was he capable of answering those questions to  
3 your satisfaction?

4 MR. RICE: Yes, sir.

5 THE COURT: Mr. Martin, do you agree that you  
6 discussed the presentencing report with your client?

7 MR. MARTIN: Yes, sir.

8 THE COURT: That you were able to answer any questions  
9 that he asked about the report?

10 MR. MARTIN: Yes, sir.

11 THE COURT: And a presentencing report has been  
12 prepared in this case, and the plaintiff -- the defendant  
13 submitted some objections that have been ruled upon. Is that  
14 correct?

15 MR. MARTIN: Yes, Your Honor.

16 THE COURT: All right. Are you satisfied with the  
17 presentence report? Are there any additional objections --

18 MR. MARTIN: No, sir.

19 THE COURT: -- to the presentencing report?

20 MR. MARTIN: No, sir. We're satisfied with it.

21 THE COURT: Okay. Thank you, you, sir. For the  
22 record, each of these defendants were indicted under 18 USC  
23 Section 371 which charges that the defendants knowingly and  
24 willfully conspired with each other and some unknown  
25 individuals at the time to willingly caused bodily harm with

1 the use of dangerous weapons or to attempt to cause bodily  
2 injury to African-American persons in and around Jackson,  
3 Mississippi, because of their actual perceived race and the  
4 color of those persons.

5 And they were also indicted for a violation of  
6 18 USC Section 249, which charged that these defendants and  
7 others aided and abetted one another willfully causing the  
8 bodily injury of James Craig Anderson who is an African  
9 American by inflicting bodily injury upon him.

10 Now, the defendants all came to court several months  
11 ago and pled guilty to the particular charges. Today is the  
12 day that they will receive their sentences. The government  
13 through the guilty plea there was certain agreements reached  
14 between the government and each of these defendants. So now  
15 how does the government wish to proceed at this point?

16 MR. BEER: Your Honor, if it pleases the court, at  
17 this time I'd like to allow Ms. Barbara Anderson Young to give  
18 a victim impact statement. When she concludes that, I'd like  
19 to read an impact statement from Mr. James Bradfield.

20 THE COURT: I'm sorry. I was ruffling my papers. I'm  
21 sorry. The second person --

22 MR. BEER: The second person that I would like to read  
23 a statement from is James Bradfield. Those are the two  
24 witnesses that the government would have to provide victim  
25 impact statements.

1 THE COURT: All right. You may proceed then.

2 MR. BEER: Thank you. The government then calls  
3 Ms. Barbara Anderson Young.

4 (Witness sworn)

5 THE COURT: You may be seated, Ms. Young. I'm sorry.  
6 Just speak -- you don't have to speak directly into the  
7 microphone, but please be sure to speak loud enough for the  
8 lawyers to hear you.

9 MS. ANDERSON: Honorable Judge Reeves, through tears  
10 and grief so heavy, our hearts can hardly bear. These words  
11 are written in the wake of our loved one, James Craig  
12 Anderson's, death. He unjustifiably suffered a severe beating  
13 at the hands of these racist white youth. Not satisfied with  
14 the beating, their unsatiable thirst for the blood of an  
15 innocent African American caused them to commit the hideous  
16 shockingly evil murder of my brother driven by hatred, sewn so  
17 deep in their black hearts. It grew into a fatal plan that  
18 reaped the end of James Craig Anderson's life while he  
19 helplessly fought to stay alive.

20 James Craig Anderson was not alone that night. The  
21 lens of a camera recorded the entire murderous attack. The  
22 guilty were exposed in committing this violence toward an  
23 innocent man. Murdered just because he was an African  
24 American.

25 My heart felt as if it were being torn from my body as



1 I watched. I watched him stagger trying to hold on to life. I  
2 know as he was being beaten, he must have had terror wondering  
3 why. But maybe he knew his life would end at the hands of  
4 these strangers with eyes full of hatred. For what reason?  
5 Why? Why? Craig must have seen the cold dark eyes of his  
6 slayers. He fell to his death, mangled and torn to pieces.  
7 Just to know his life ended so violently at the hands of vile  
8 and evil racists.

9 Then the revelation that they celebrated, exhibiting  
10 no remorse, cold-hearted and callous. God only knows if the  
11 cameras had not been rolling how many innocent African  
12 Americans might have been killed by this murderous gang.  
13 Nearly 60 years after Emmett Till, 52 years after Medgar Evers,  
14 51 years after Chaney, Goodman and Schwerner, four years after  
15 my brother, a son, a family man, James Craig Anderson, and  
16 others we don't even know about, all died at the hands of  
17 racist white men.

18 These young whites carried their legacy and proved  
19 that hatred and racism still lives. Even those of you who  
20 weren't there June 26, 2011, but knew of such evil deeds are  
21 just as guilty. "He who passively accepts evil is as much  
22 involved in it as he who helps to perpetrate it. He who  
23 accepts it without protesting against it is really cooperating  
24 with it," the words of the late Dr. Martin Luther King, Jr.

25 The Anderson family, my 89 year old mother, and the

1 world are traumatized both emotionally and physically by this  
2 senseless act of hate-filled violence. Through tears, our  
3 family yet grieves over our loved one, James Craig Anderson,  
4 praying from day one that justice would be done.

5         So we turned to the only consolation we know. The  
6 holy scripture comes with this assurance that, "God is angry  
7 with the wicked every day. If the wicked does not turn back,  
8 he will sharpen his sword. He bends his bow and makes it  
9 ready. He also prepares for himself instruments of death. He  
10 makes it ready. He makes his arrows into fiery shafts.  
11 Behold, the wicked brings forth inequity. Yes, he conceives  
12 troubles and brings forth falsehood. He made a pit and dug it  
13 out. He has fallen into the ditch, which he made. His trouble  
14 shall return upon his own head and, his violent dealing shall  
15 come upon his own crown." Psalm 7:11 through the 16th verses.

16         Yes, surely, surely the violence you committed against  
17 James Craig Anderson shall fall upon your own head. Nothing,  
18 nothing, can bring Craig back. Yet he lives in me and my  
19 family. You can't take that away. More than that, he too  
20 lives among you, the last to see him alive on this earth.

21         The story is told of a sailer who shot at an innocent  
22 albatross -- an albatross is a bird -- in Coleridge's Rime of  
23 the Ancient Mariner. As his punishment, he was forced to wear  
24 the carcass of this bird around his neck. James Craig  
25 Anderson's blood is on your hands. And as long as you live,

1 you will always be -- he will always be the albatross around  
2 your necks. You killed him. You killed the loving and  
3 thoughtful son, brother, family man. You killed a human being  
4 that God created. You shed innocent blood. Nothing can fill  
5 the void that you have caused in our lives.

6 Vengeance is the Lord's. He will repay. The Anderson  
7 family forgives, as Christians should. We refuse to bear the  
8 burden of hate because it is such, such a heavy load to carry.  
9 We will leave it to our father in heaven to repay you all. May  
10 God have mercy on your sin and sick souls.

11 Thank you, Your Honor.

12 MR. BEER: Your Honor, if it pleases the court, I'd  
13 like to now have James Bradfield stand next to me at the podium  
14 while I read a statement that he prepared.

15 THE COURT: You may.

16 MR. BEER: Thank you, sir. Your Honor, James  
17 Bradfield is the partner of James Craig Anderson. He and James  
18 Craig had been together for 17 years when Mr. Anderson was  
19 killed. Mr. Bradfield and Mr. Anderson were raising a little  
20 boy at the time that Mr. Anderson was killed, and he asked me  
21 to read some remarks that he prepared because he didn't think  
22 he could get through it. So at this time I'm going read the  
23 words of James Bradfield.

24 To all the people that are being prosecuted in this  
25 vicious hate crime, you all don't have a clue what you have

1 done to my family in committing this terrible crime. I lost my  
2 life-long partner of 18 years and our son, Demarius Bradfield,  
3 lost his father of four years.

4           You see, James Craig Anderson was a great man. He was  
5 a man who loved his family and was a great provider to our son  
6 and me. We would take family trips, go to church together as a  
7 family, and celebrate holidays, birthdays, anniversaries, and  
8 reunion together. We had a great life, and we miss him so  
9 much.

10           Since his death, our lives have been turned upside  
11 down. I've had to seek mental therapy as I could not maintain  
12 everyday life tasks. Not to mention, I had to take a leave of  
13 absence from my job. Losing Craig was like losing me. I had  
14 to deal with our son asking why those people killed Craig. He  
15 knows and tells me, "Daddy, Craig was a good man." "Daddy,  
16 Craig wouldn't hurt anyone." And, "I miss daddy."

17           But the question, "Daddy, why did they kill Craig," I  
18 could not answer. Listening to our son say he wants to sleep  
19 with me because he doesn't want those people to get me, and him  
20 saying he will protect me and I will protect him breaks my  
21 heart.

22           Visiting Craig's gravesite was hard on me, but even  
23 harder on our son. Craig always had our best interest at  
24 heart. He paid the mortgage, car notes, our son's tuition and  
25 he even had a college fund for our son. Things have now

1 changed. I am left with the struggle of being a single parent.  
2 Filing bankruptcy was a struggle I never thought that we would  
3 have to face. As a parent, you always want the best for your  
4 child, and Craig wanted the best for our son. Our son was in  
5 private school making As and Bs before Craig's death. But  
6 because I could no longer afford the tuition, I've had enroll  
7 him in public school and now his grades have fallen  
8 tremendously to Cs, Ds, and some Fs.

9 My heart get so heavy at times because I feel like a  
10 failure because I couldn't keep up on the things Craig did for  
11 us. We were always there for each other. We supported each  
12 other, and we confided in each other.

13 After hearing over and over what you all did to my  
14 partner, all I can do is cry, cry, and cry. I wish I was there  
15 to help protect him from you, but I wasn't. You killed my  
16 partner, and honestly I wish none of you would ever see  
17 daylight again. There is no room on earth for people like you.

18 How could you kill someone because of the color of  
19 their skin or for any reason, for that matter? You have no  
20 right to take someone's life. How would you all feel if a  
21 severe penalty was imposed on you? Honestly, that is really  
22 what all of you need because one of you could have helped spare  
23 my partner's life. But since you chose not to do so, you all  
24 need to spend the rest of your life in jail.

25 May God rest your soul. Signed James Bradfield and

1 Demarius Bradfield. Thank you, sir.

2 THE COURT: Thank you, Mr. Beer. I understand that  
3 that's all the statements from the -- from any victims. Is  
4 that correct, Mr. Beer?

5 MR. BEER: That is correct, sir.

6 THE COURT: At this time I'm going to deviate from  
7 what I usually do. I usually do this a little bit before this,  
8 but I want to place on the record the statutory provisions, get  
9 a confirmation from the parties that these are the correct  
10 statutory provisions and the guideline provisions prior to the  
11 motions that were filed in each of these cases. In other  
12 words, I'm going to get a confirmation on the record that the  
13 presentence report is correct.

14 For a violation of 18S USC Section 371, if the court  
15 were to sentence these defendants under the statute, it could  
16 impose a term of imprisonment from zero to five years. Is that  
17 correct for government with respect to Mr. Butler?

18 MR. BEER: It is, sir.

19 THE COURT: Do you agree, Mr. Butler?

20 MR. BUTLER: Yes, sir.

21 MS. BRUMLEY: We do, Your Honor.

22 THE COURT: Thank you. Under Count 2, Title  
23 18 USC 249 a violation -- a sentence under the statute, the  
24 court may impose a sentence from zero to life. Is that  
25 correct, to the government?

1 MR. BEER: That is correct, sir.

2 THE COURT: Mr. Butler, do you agree?

3 MR. BUTLER: Yes, sir.

4 THE COURT: All right. Now, under the statute, the  
5 court may impose a term of supervised release under the first  
6 count of zero to three years, a term of supervised release  
7 under the second count from zero to five years. Do you agree,  
8 Mr. Butler?

9 MR. BUTLER: Yes, sir.

10 THE COURT: And does the government agree?

11 MR. BEER: We, do Your Honor.

12 THE COURT: All right. Under the statute, this  
13 defendant, Mr. Butler, is ineligible for probation. A fine can  
14 be imposed for Count 1 for up to \$250,000, and a fine may be  
15 imposed under Count 2 for up to \$250,000. Have I stated that  
16 correctly?

17 MR. BEER: You have, Your Honor.

18 THE COURT: And do you agree, Mr. Butler?

19 MR. BUTLER: Yes, sir.

20 THE COURT: All right. The court is going to take up  
21 restitution. I'm going to grant the government's motion that  
22 was filed with respect to restitution.

23 MS. BRUMLEY: Your Honor, for purposes of the record,  
24 I've spoken with my client, and he wishes to waive his  
25 appearance at the restitution hearing. I would ask that you

1 confirm that with him on the record.

2 THE COURT: Okay. The court is going to hold a  
3 separate hearing in the future on restitution. Mr. Butler,  
4 your counsel has now announced that you have chosen not to be  
5 present at that. You're waiving your right to be present at  
6 that hearing?

7 MR. BUTLER: Yes, sir.

8 THE COURT: Okay. Thank you. On each of these  
9 counts, the court is required under the statute to impose a  
10 special assessment of \$100. Is that correct to the government?

11 MR. BEER: It is, sir. One other matter with respect  
12 to restitution. As you can see from government's pleading, we  
13 are asking that the court today order that restitution be found  
14 in this particular case for all three defendant and just defer  
15 the calculation of the amount until a later date. That's  
16 pursuant to the mandatory Victims Restitution Act.

17 THE COURT: Thank you. If I fail to do that at the  
18 end, please remind me.

19 MR. BEER: Yes, sir.

20 THE COURT: All right. Thank you. Now, with respect  
21 to the \$100 special assessment to each count, Mr. Butler, do  
22 you agree the court must impose that?

23 MR. BUTLER: Yes, sir.

24 THE COURT: Now, we operate in a world of sentencing  
25 guidelines that have been enacted by Congress and that this



1 court has an obligation to consult, review, and even consider.  
2 So under the guidelines prior to the government's motion, is it  
3 the court -- is the court correct in saying that the guidelines  
4 will provide that this defendant, Mr. Butler, that is, could  
5 serve anywhere between 108 and 135 months? This is prior to  
6 the government's motion?

7 MR. BEER: That is correct, sir.

8 THE COURT: Does Mr. Butler agree?

9 MR. BUTLER: Yes, sir.

10 THE COURT: And under the guidelines, the court can  
11 impose on Count 1 a term of supervised release for one to three  
12 years and under Count 2 a term of supervised release from two  
13 years to five years. Do the parties agree that that's correct?

14 MR. BEER: Yes, Your Honor.

15 THE COURT: Under the guidelines, this defendant --  
16 and I did not hear from you. I'm sorry. Mr. Butler, do you  
17 agree that that's correct?

18 MR. BUTLER: Yes, sir.

19 THE COURT: Under the guidelines, this defendant is  
20 ineligible for probation. Is that correct?

21 MR. BEER: That is correct, sir.

22 MR. BUTLER: Yes, sir.

23 THE COURT: And under the guidelines, this  
24 defendant -- the court may impose a fine between \$15,000 and  
25 \$150,000. Is that correct?

1 MR. BUTLER: Yes, sir.

2 THE COURT: All right. And the government agrees?

3 MR. BEER: Yes, Your Honor.

4 THE COURT: All right. Under the guidelines, the  
5 court must impose a special assessment for each count. Is that  
6 correct?

7 MR. BUTLER: Yes, sir.

8 MR. BEER: Yes, sir.

9 THE COURT: All right. I'm going to do it a little bit  
10 different for defendant Dedmon. Under the statutory provisions  
11 for the counts that have been brought against this defendant,  
12 and I'll -- the defendant -- excuse me, the court may order  
13 prison time from zero to five years on the first count and zero  
14 to life on the second count.

15 He may receive zero to three years supervised release  
16 and zero to five years for supervised release as far as the  
17 second count.

18 Under the statute, this defendant is not eligible for  
19 probation.

20 On Count 1 and Count 2, the court may impose a fine of  
21 up to \$250,000 per count.

22 Restitution will be ordered in an amount to be  
23 determined later, and he could receive a special assessment  
24 of -- he would receive a special assessment of \$100 on each  
25 count.

1 Have I correctly stated what the statute would say  
2 about these charges with respect to defendant Dedmon?

3 MR. DEDMON: Yes, sir.

4 MR. BEER: That's correct.

5 THE COURT: With respect to the guidelines that this  
6 court must consult with, this defendant, who has been indicted  
7 under 18 USC 249(a)(1)7(B), I believe, he could receive for  
8 that under guidelines a sentence of 360 months to life in  
9 prison.

10 Under Count 1 of the indictment, he could receive a  
11 five-year sentence -- zero to five years. Under Count 1 for  
12 supervised release, it is one to three years, and Count 2,  
13 supervised release two to five years.

14 Under the guidelines, this defendant is not eligible  
15 for probation. He could receive a fine of \$25,000 up to  
16 \$250,000.

17 Restitution will be ordered and determined at a later  
18 date, but on each count he must pay a special assessment of  
19 \$100 for each count. Have I accurately stated the guideline  
20 provisions as to defendant Deryl Dedmon?

21 MR. DEDMON: Yes, sir.

22 MR. BEER: Yes, Your Honor.

23 THE COURT: All right. Thank you.

24 MS. STEWART: Your Honor, I'm not sure if this is the  
25 appropriate time or not, but our client would likewise waive

1 his appearance at the restitution hearing.

2 THE COURT: Okay. Thank you. Mr. Dedmon, your  
3 attorney has just announced that when the court has its hearing  
4 to hear the calculations or to determine the calculations of  
5 what the restitution will be, you are waiving your right to  
6 attend that hearing. Is that correct?

7 MR. DEDMON: Yes, sir.

8 THE COURT: All right. Thank you. Thank you  
9 Ms. Stewart.

10 With respect to defendant John Rice, the charges for  
11 which he's been indicted under Count 1 under the statute, he  
12 could -- the court could sentence him to a term of zero to five  
13 years and under Count 2 zero to life. The court can impose  
14 supervised release under Count 1, zero to three years; Count 2,  
15 zero to five years. Under Count 1 he's eligible for probation  
16 from one to five years. Under Count 2, he is ineligible.

17 He may receive a fine under Count 1 for up to  
18 \$250,000. In Count 2, a fine of up to \$250,000.

19 Restitution would be determined at a later date, but  
20 under the statute he would have to pay \$100 per count. Is that  
21 a fair -- is that a correct statement, Mr. Martin, and to the  
22 defendant?

23 MR. RICE: Yes, Your Honor.

24 THE COURT: Does the government agree?

25 MR. BEER: That's correct, sir.

1           THE COURT: Under the guidelines -- this is prior to  
2 the motion that the court has taken up, but under the  
3 guidelines this defendant or the charge this defendant -- a  
4 sentence may be imposed under the guidelines for 210 months up  
5 to 262 months.

6           Supervised release on the first count from one to  
7 three years and on the second count two to five years after  
8 he's served a particular -- a sentence.

9           Under the guidelines, this defendant is ineligible for  
10 probation.

11           The court may impose a fine of \$20,000 up to \$200,000.

12           Restitution again will be determined and calculated at  
13 a separate hearing, and he may -- he will have to pay a special  
14 assessment of \$100 on each count. Have I stated that  
15 correctly?

16           MR. BEER: Yes, Your Honor.

17           THE COURT: To the defendant, Mr. Rice, have I stated  
18 that correctly?

19           MR. RICE: Yes, sir, Your Honor.

20           THE COURT: All right.

21           MR. MARTIN: Your Honor, Mr. Rice, the same as the  
22 other defendants, on the restitution hearing, he's waiving his  
23 right to be there.

24           THE COURT: Okay. Mr. Rice, your counsel has just  
25 informed the court that you wish to waive your right to attend

1 any hearing on the restitution issue. Is that correct, sir?

2 MR. RICE: Yes, sir, Your Honor.

3 THE COURT: All right. Thank you. Now, the court  
4 having gone through the presentencing report, I'm adopting that  
5 presentencing report as the court's findings of fact. Are  
6 there any objections?

7 MR. BEER: No, Your Honor.

8 MS. BRUMLEY: No, Your Honor.

9 MR. MARTIN: No, Your Honor.

10 MS. STEWART: Not on behalf of Mr. Dedmon.

11 THE COURT: All right. Now, we're at the point does  
12 the government wish to say anything else about any of the  
13 matters?

14 MR. BEER: No, sir.

15 THE COURT: All right. We're at the point now where  
16 each defendant has the right to -- a right of allocution. Each  
17 defendant has that right. The defendant -- as the court  
18 advised the defendants at each of their guilty plea hearings,  
19 the defendant may speak to the court, his lawyer may speak to  
20 the court, both of them may speak to the court, or any one that  
21 the defendant wishes to call to speak on behalf of him to tell  
22 the court anything that the court should consider prior to  
23 sentencing. So I turn to Mr. Butler and his counsel.

24 MS. BRUMLEY: Thank you, Your Honor. Mr. Butler has,  
25 as Your Honor is aware, has prepared a letter which has been

1 provided to the parties and to the court. He wishes to read a  
2 portion of that letter at this time, Your Honor.

3 MR. BUTLER: I wish every day that I could take  
4 everything back, not for myself but for the man who lost his  
5 life and the family who lost a brother and son. I've always  
6 been the type person to help others and take up for others who  
7 couldn't take up for themselves. And that night I did not nor  
8 did I act in a way that I was raised.

9 I was never raised to have a hatred for African  
10 Americans. Until this day, I still don't. From a very young  
11 age, I was taught to accept people for who they were on the  
12 inside, not their appearance on the outside. I was raised with  
13 a black uncle, mixed cousins, and a guy I called my stepdad who  
14 is also black. I love them all very much, and they have  
15 supported me through all this.

16 I struggled a great deal with at the death of  
17 Mr. Anderson. I was ashamed of what I had done and who I had  
18 become. I realize that I had to grow up and take  
19 responsibility for my actions. I had hurt a lot of people, and  
20 I knew I had to fix the things that I -- fix the things in any  
21 way possible.

22 But there's still some things you I can't fix. For  
23 instance, the Anderson family's pain and suffering. I know  
24 that myself being in jail can only bring them so much closure.  
25 I wish every day that I could speak with them so that I could

1 tell them that from the bottom of my heart I am truly sorry. I  
2 cannot take everything -- I cannot take back everything that I  
3 have done, but I hope and pray that maybe one day they can find  
4 it in their hearts to forgive me.

5 Life is too short to have hatred in your heart, no  
6 matter how big or small. It can tear you down and destroy  
7 lives. What I'm trying to say is I'm truly sorry. I take full  
8 responsibility for the things I've done, and I just hope that  
9 one day I can get a chance to fix my mistakes. Thank you.

10 THE COURT: Thank you, Mr. Butler.

11 MS. BRUMLEY: Your Honor, also when I provided this  
12 letter to the court, it was accompanied by many letters in  
13 support of Mr. Butler from friends and family, and I think the  
14 one thing that you can see, there's a pattern in those letters,  
15 and the pattern is that this was a shock to be everybody who  
16 knew Dylan Butler that he was involved in something like that.

17 I've been doing this a long time, Your Honor, and I  
18 have represented countless defendants. And Dylan is one of the  
19 few clients that I can say has truly owned his crime and his  
20 conduct, and he has owned it from the very beginning. And to  
21 this day he struggles with what he did. He shows truly very  
22 deep remorse for his actions and his conduct, and this is  
23 something that I believe he will deal with for the rest of his  
24 life. He's never going to forget what he did.

25 And while he may not have gotten out of the car, while



1 he may not have laid a hand on Mr. Anderson, he truly every day  
2 has a struggle within himself wondering what he should have  
3 done, what he could have done, and how he could have made  
4 things different.

5 And I believe, Your Honor, that the person standing  
6 before you today is not the same person that was there that  
7 night. I believe truly that the person standing before you  
8 today would have done something and would have stopped that  
9 heinous act. And we just ask, Your Honor, that you consider  
10 Mr. Butler's letter and his plea to Your Honor, the letters  
11 written by families and friends, and, of course my letter, Your  
12 Honor, and we ask for the lowest possible sentence.

13 THE COURT: Thank you. It is this court's typical  
14 practice to turn to government. If the government wishes to  
15 respond in any way it may do so, but the defendant will have  
16 the last word.

17 MR. BEER: The government has nothing further, Your  
18 Honor.

19 THE COURT: Thank you. Is that all from Mr. Butler,  
20 Ms. Brumley?

21 MS. BRUMLEY: It is, Your Honor. Thank you.

22 THE COURT: I now turn to Mr. Rice. Mr. Rice, you  
23 have the opportunity to tell the court anything that you wish  
24 the court should hear and consider prior to imposing sentence.  
25 You or your lawyer may speak or however -- and you may call

1 anyone on your behalf as well.

2 MR. RICE: Yes, sir. I'd just like the family to know  
3 that I'm sorry from the bottom of my heart. I wish I could  
4 change anything that happened. I wasn't raised a racist. I  
5 wasn't ever raised or taught any of that. I just want you to  
6 know I'm sorry from the bottom of my heart.

7 MR. MARTIN: Your Honor, Mr. Rice will not be calling  
8 any witnesses on his behalf. His statement will stand for  
9 itself.

10 THE COURT: Okay. Thank you. I now turn to the  
11 government. Does the government wish to respond in any way?

12 MR. BEER: No, sir. Thank you.

13 THE COURT: All right. Now, I offer Mr. Dedmon an  
14 opportunity to tell the court anything he wishes to the court,  
15 he or his lawyer, that the court should consider prior to your  
16 sentence.

17 MR. DEDMON: I just want to tell the Anderson family  
18 again how truly sorry I am. That's it.

19 THE COURT: All right. Thank you. Does the  
20 government have any response with respect to this defendant?

21 MR. BEER: No, Your Honor. Thank you.

22 THE COURT: All right.

23 MS. STEWART: We have nothing further, Your Honor.

24 THE COURT: Thank you. Are there any additional  
25 arguments from counsel for the government before the court

1 imposes sentence?

2 MR. BEER: No, Your Honor.

3 THE COURT: Are there any additional arguments or  
4 statements from either of the defendants before this court  
5 imposes sentence?

6 MS. BRUMLEY: No, Your Honor, not for Mr. Butler.

7 MR. MARTIN: As far as Mr. Rice, no.

8 MS. STEWART: Not on behalf of Mr. Dedmon.

9 THE COURT: All right. Sentencing is by far -- I  
10 think if you took a poll of all the federal judges and probably  
11 even state court judges, it be probably be unanimous. It is  
12 one of the most difficult things that we have to do as judges,  
13 and the thing that most of us -- the thing that we like least  
14 about our jobs.

15 For the purposes of sentencing, you have to be  
16 cognizant of several things: The victim, the defendants, the  
17 public. You have to weigh all of those things during the  
18 course of sentencing. And for that reason, I have prepared my  
19 own statement. And I am going to allow the defendants --  
20 typically I have them stand up, but this statement is a little  
21 long. So after which I will impose the sentence.

22 One of my former history professors, Dennis Mitchell,  
23 recently released a book entitled, *A New History of*  
24 *Mississippi*. "Mississippi," he says, "is a place and a state  
25 of mind. The name evokes strong reactions from those who live

1 here and from those who do not, but who think they know  
2 something about its people and their past."

3 Because of its past, as described by Anthony Walton in  
4 his book *Mississippi: An American Journey*, "Mississippi can be  
5 considered one of the most prominent scars on the map of these  
6 United States." Walton goes on to explain that, "There is  
7 something different about Mississippi, something almost  
8 unspeakably primal and vicious; something savage unleashed  
9 there that has yet to come to rest." To prove his point, he  
10 notes that of the 40 martyrs whose names are inscribed in the  
11 national Civil Rights Memorial in Montgomery, Alabama, 19 were  
12 killed here in Mississippi. "How was it," Walton asked, "that  
13 half who died did so in one state?" The state that I call my  
14 Mississippi, your Mississippi, our Mississippi.

15 Mississippi has expressed its savagery in a number of  
16 ways throughout its history: Slavey being the cruelest  
17 example, but a close second being Mississippi's infatuation  
18 with lynchings. Lynchings were prevalent, prominent, and  
19 participatory. A lynching was a public ritual, even  
20 carnival-like, within many states in our great nation. While  
21 other states engaged in these atrocities, those in the deep  
22 south took a leadership role, especially that scar on the map  
23 of America, those 82 counties between the Tennessee line and  
24 the Gulf of Mexico, those counties which are bordered by  
25 Louisiana, Arkansas, and Alabama.

1 Vivid accounts of brutal and terrifying lynchings in  
2 Mississippi are chronicled in various sources: Ralph  
3 Ginzberg's *Burks' 100 years of Lynchings* and *Without*  
4 *Sanctuary: Lynching Photography in America*, just to name two.  
5 But I note that on this very day today, the Equal Justice  
6 Initiative released a new study, *Lynching in America:*  
7 *Confronting the legacy Racial Terror*. Apparently it too is a  
8 must read.

9 In *Without Sanctuary*, historian Leon Litwack writes  
10 that between 1882 and 1968 an estimated 4,742 blacks met their  
11 deaths at the hands of lynch mobs. The impact this campaign of  
12 terror had on black families is impossible to explain so many  
13 years later. That number, the 4,742, contrasts with the 1,401  
14 prisoners who have been executed in the United States legally  
15 since 1976. In modern terms, that number represents more than  
16 those killed in Operation Iraqi Freedom and more than twice  
17 those killed in Operation Enduring Freedom, which is the  
18 Afghanistan conflict. More American casualties. Turning to  
19 home, this number also represents 1,700 more than those who  
20 were killed in 9/11.

21 Those who died at the hands of mobs, Litwack notes,  
22 some were the victims of what we call legal lynchings, having  
23 been accused of a crime, subjected to a speedy trial and an  
24 even speedier execution. Some were victims of private white  
25 violence, and some were merely the victims of "nigger hunts,"

1 murdered by a variety of means in isolated rural sections and  
2 dumped into rivers and creeks.

3 "Back in those days," according to a black  
4 Mississippian, describing the violence of the 1930s, "to kill a  
5 Negro wasn't nothing. It was like killing a chicken or killing  
6 a snake. The whites would say, 'niggers jest supposed to die,  
7 ain't no damn good anyway so jest go and kill 'em.' They had  
8 to have," as one black Mississippian said, "a license to kill  
9 anything but a nigger. He was always in season."

10 Said one white Mississippian, "A white man ain't  
11 a-going to be able to live in this country if we let niggers  
12 start getting biggety." And even when lynchings had decreased  
13 in and around Oxford, one white resident told a visitor of the  
14 reaffirming quality of lynchings: "It's about time to have  
15 another one," he explained. "When the niggers get so that they  
16 are afraid of being lynched, it's time to put fear in them."

17 How could hate, fear, or whatever it was, transform  
18 genteel, God-fearing God-loving Mississippians into mindless  
19 murderers and sadistic torturers? I ask that same question  
20 about the events which bring us here together today. Those  
21 crimes of the past as well as these have so damaged the psyche  
22 and reputation of this great state.

23 You see, Mississippi soil has been stained with the  
24 blood of folk whose names have become synonymous with the civil  
25 rights movement like Emmett Till, like Willie McGee, James

1 Chaney, Andrew Goodman, Michael Schwerner, Vernon Dahmer,  
2 George W. Lee, Medgar Evers, even Mack Charles Parker. But the  
3 blood of lesser known people like Luther Holbert and his wife,  
4 Elmo Curl, Lloyd Clay, John Hartfield, Lamar Smith, Clinton  
5 Melton, Ben Chester White, Wharlest Jackson and countless  
6 others, their blood saturates these 48,434 square miles that we  
7 call Mississippi.

8           On June 26, 2011, four days short of his birthday, the  
9 blood of James Anderson was added to Mississippi soil. The  
10 common denominator of the deaths of these individuals was not  
11 their race. It was not that they were all -- it's not that  
12 they were all than engaged in freedom fighting. As we know,  
13 Michael Schwerner and Andrew Goodman were not black. It was  
14 not that they had been engaged in criminal activity, trumped up  
15 other otherwise. No, the common denominator was that the last  
16 thing that each of these individuals saw was the inhumanity of  
17 racism. The last thing that each felt was the audacity and  
18 agony of hate, senseless hate: crippling, maiming its victims  
19 and finally taking away their lives.

20           Mississippi has a tortured past, and it has struggled  
21 mightily to reinvent itself and become a new Mississippi. New  
22 generations have attempted to pull Mississippi from the abyss  
23 of moral depravity in which it once so proudly floundered in.  
24 Despite much progress and the effort of the new generations,  
25 these three defendants are before me today: Deryl Paul Dedmon,

1 Dylan Wade Butler, and John Aaron Rice. They and their  
2 coconspirators ripped off the scab of the healing scars of  
3 Mississippi causing her, our Mississippi, to bleed again.

4           Hate comes in all shapes, sizes, colors, and from this  
5 case, we know it even comes in different sexes and ages. A  
6 toxic mix of alcohol, foolishness, and unadulterated hatred  
7 caused these young people to resurrect a nightmarish specter of  
8 lynchings and lynch mobs from the Mississippi we long to forget.

9           Like the marauders of ages past, these young people  
10 conspired, planned, and coordinated a plan of attack on certain  
11 neighborhoods in the city of Jackson for the sole purpose of  
12 harassing, terrorizing, physically assaulting, and causing  
13 bodily injury to black folks. They punched them. They kicked  
14 them about their bodies, their head, and their faces.

15           These children, these kids, these young adults, they  
16 prowled. They came to hurt. They used dangerous weapons.  
17 They targeted the weak. They recruited and encouraged others  
18 to join in the coordinated chaos, and they boasted about their  
19 shameful activity. This was a 2011 version of the nigger  
20 hunts.

21           Though the media and the public intention of these  
22 crimes have been focused almost exclusively on the early  
23 morning hours of June 26, 2011, the defendant's terror campaign  
24 is not limited to this one incident. There were many scenes  
25 and many actors in this sorted tale which played out over days,



1 weeks and months. There are unknown victims like the John Doe  
2 at the golf course who begged for his life, and the John Doe at  
3 the service station. Like a lynching, for these young folk  
4 going out to "Jafrica" was like a carnival outing. It was  
5 funny to them, an excursion which culminated in the death of an  
6 innocent African-American man, James Craig Anderson.

7           On June 26, 2011, the fun ended. But even after  
8 Anderson's murder, the conspiracy continued, and only because  
9 of a video which told a story different from that which had  
10 been concocted by these defendants and the capable and able  
11 investigation of law enforcement, state and federal, in a new  
12 Mississippi, law enforcement working together. That's when the  
13 truth was uncovered.

14           What is so disturbing and so shocking and even so  
15 numbing is that these "nigger hunts" were perpetrated by our  
16 children, students who live among us, educated in our public  
17 schools, our private academies, students who played football,  
18 lined up on the same side of the scrimmage line with black  
19 teammates, average students, honor students, kids who worked  
20 during school and in the summers, kids who had full-time jobs,  
21 and some of whom were unemployed. Some were even pursuing  
22 higher education, and the court believes that each of them had  
23 dreams that they wanted to pursue.

24           These children, these students, these kids, they were  
25 from two parent homes. Some of them were children of divorced

1 parents. And, yes, some were even raised by a single parent.  
2 No doubt they all had loving parents and loving families.

3 In letters received on his behalf, Dylan Butler, whose  
4 outing on the night of June 26th was not his first, has been  
5 described as, "a fine young man," "a caring person," "a  
6 well-mannered man," who is truly remorseful and wants to move  
7 on with his life. Very respectable, a good man, a good person,  
8 a loveable, kind-hearted teddy bear who stands in front of  
9 bullies and who is now ashamed of what he did.

10 Butler's family is a mixed-race family. For the last  
11 15 years, it has consisted of an African-American stepfather  
12 and stepsister plus his mother and two sisters. The family,  
13 according to his stepfather, understandably is "saddened and  
14 heartbroken."

15 These were everyday students like John Aaron Rice who  
16 got out of his truck, struck James Anderson in the face and  
17 kept him occupied while others arrived. Rice was involved in  
18 multiple excursions to so-called "Jafrica," but for some time,  
19 according to him and his mother, he and an African-American  
20 friend shared the same home address.

21 And, sadly, Deryl Dedmon, who straddled James Anderson  
22 and struck him repeatedly in the face and head with his closed  
23 fist, he too was a normal kid, normal young man,  
24 indistinguishable in so many ways from his peers. But not  
25 completely satisfied with the punishment to which he subjected

1 Mr. Anderson, he "deliberately used his vehicle to run over  
2 James Anderson, killing him." Dedmon now acknowledges he was  
3 filled with anger.

4 I asked this question earlier, but what could  
5 transform these young adults, these children, these kids into  
6 violent creatures that their victims obviously saw? It was  
7 nothing that the victims did. Again they were not championing  
8 any cause, political, social, economic, nothing they did, not a  
9 wolf whistle, not a supposed crime, nothing they did. There's  
10 absolutely no doubt in the mind and in the view of this court  
11 that the victims were targeted because of their race.

12 The simple fact is that what turned these children,  
13 these kids, these young adults into criminal defendants was  
14 their joint decision to act on racial hatred. In the eyes of  
15 these defendants and their coconspirators, the victims  
16 obviously were doomed at birth. Their genetic makeup made them  
17 targets.

18 In the name of White Power, these young folks went to  
19 "Jafrica" to "fuck with niggers." This is the finding that the  
20 court has made through the guilty plea. Echoes of  
21 Mississippi's past. White Power. Nigger. According to the  
22 Fifth Circuit Court of Appeals, that word "nigger" is the  
23 "universally recognized opprobrium, stigmatizing African  
24 Americans because of their race." It's the nuclear bomb of  
25 racial epithets, as Farai Chideya has described it. With their

1 words, with their actions, "I just ran that nigger over."  
2 There's no doubt that these crimes were motivated by race of  
3 the victims. And from his own pen, Dedmon sadly and  
4 regretfully wrote that he did it out of "hatred and bigotry."

5 The court must respond, I believe, to at least one  
6 letter that it received from a person who identifies himself as  
7 a youth leader in the church of Dylan Butler's, a mentor. He  
8 says and he describes Dylan "as a good person," point well  
9 taken. The point that, "There are plenty of criminals that  
10 deserve to be incarcerated," that's a point well taken too.  
11 But your point that Dylan is not one of them, not a criminal,  
12 is belied by the facts and the law. Dylan was an active  
13 participant in this activity, and he deserves to be  
14 incarcerated under the law.

15 What these defendants did is ugly. It was painful.  
16 It is sad. And it is indeed criminal.

17 In the Mississippi that we have tried to bury, when  
18 there was a jury verdict for those who perpetrated crimes and  
19 committed lynchings in the name of White Power, that verdict  
20 typically came back and said that the victim died at the hands  
21 of persons unknown. The legal and criminal justice system in  
22 the Mississippi we want to forget operated with ruthless  
23 efficiency in upholding what these defendants would call White  
24 Power.

25 Today, though, the criminal justice system, state and

1 federal, has proceeded methodically, patiently, and  
2 deliberately seeking justice. Today we've learned and we knew  
3 at that guilty plea hearings who the identities of the persons  
4 unknown are, and they have stood before us today publicly.

5 The sadness of this day also has an element of irony  
6 to it. Each defendant was escorted into this court by agents  
7 of an African-American U.S. Marshal, having been prosecuted by  
8 a team of lawyers which includes an African-American AUSA,  
9 Assistant U.S. Attorney, from an office headed by an  
10 African-American U.S. Attorney, all under the direction of an  
11 African-American Attorney General, for sentencing before a  
12 judge who is also African American. And my final act will be  
13 to turn these defendants over to the care and custody of the  
14 Bureau of Prison, an agency headed by an African American.

15 See, today we take another step away from  
16 Mississippi's tortured past. We move farther away from the  
17 abyss. Indeed, Mississippi is a place and a state of mind.  
18 And those who think they know about her people and her past  
19 will also understand that her story, our Mississippi story, has  
20 not been completely written.

21 Mississippi does have a present and a future, and that  
22 present, that future has promise, as demonstrated by the work  
23 of the officers within these state and federal agencies. Black  
24 and white, male and female, in this Mississippi they work  
25 together to advance the rules of law. Having learned from

1 Mississippi's inglorious past, these officials know that in  
2 advancing the rule of law the criminal justice system must  
3 operate without regard to race, creed or color. This I believe  
4 is the strongest way that Mississippi can reject those notions,  
5 those ideas, which brought us here today.

6 At their guilty plea hearings, Deryl Paul Dedmon,  
7 Dylan Wayne Butler and John Aaron Rice told the world exactly  
8 what their roles were. It is ugly. It is painful. It is sad.  
9 And it is criminal.

10 The court will now sentence Mr. Butler. Could you  
11 come forward, please.

12 Having considered the motions that the court -- that  
13 have been filed and having considered the facts of this case  
14 and the law and the advisory guidelines, all the factors under  
15 18 USC 3553 -- and I'll say something else about that shortly  
16 after each -- after I have talked -- after I have imposed  
17 sentence on each defendant -- it is judgment of the court that  
18 the defendant Dylan Wayne Butler serve a term of 60 months as  
19 to Count 1 and an 84-month term of imprisonment as to Count 2,  
20 and those terms will run concurrently.

21 The term of imprisonment shall immediately be followed  
22 by a three-year term of supervised release as to each count to  
23 run concurrent to each other and subject -- subject to the  
24 standard and mandatory conditions as listed on the judgment  
25 order. The court finds that the defendant does not have the

1 ability to pay a fine and no fine is ordered. It is ordered  
2 that the defendant pay a special assessment fee of \$200, \$100  
3 per count, which is due immediately. The court, as I indicated  
4 earlier, will impose -- restitution is ordered in an amount to  
5 be determined at a separate hearing. That is your sentence,  
6 Mr. Butler.

7 MS. BRUMLEY: Thank you, Your Honor.

8 THE COURT: Mr. Rice. With respect to this defendant,  
9 the court has considered all the matters before it and the  
10 sentencing guidelines and all the factors under 18 USC 3553(a),  
11 and it is the judgment of this court that the defendant John  
12 Aaron Rice is sentenced to a term -- to a 60-month term of  
13 imprisonment as to Count 1 and a 222-month term of imprisonment  
14 to Count 2 to run concurrently.

15 The term of imprisonment shall be followed by a  
16 three-year term of supervised release as to Counts 1 and 2 to  
17 run concurrently. These terms of supervised release are  
18 subject to the standard and mandatory conditions as listed on  
19 the judgment order in addition to the following special  
20 condition: The defendant shall participate in a program of  
21 treatment for alcohol abuse as directed by the probation  
22 office. If enrolled in an alcohol treatment program, the  
23 defendant shall abstain from consuming alcoholic beverages  
24 during treatment and shall continue abstaining for the  
25 remaining period of supervision. The defendant shall

1 contribute to the cost of treatment in accordance with the  
2 probation office's copayment policy.

3 The court finds that the defendant does not have the  
4 ability to pay a fine and no fine is ordered. It is further  
5 ordered that the defendant pay a special assessment fee of  
6 \$200, which is due immediately. That is your sentence,  
7 Mr. Rice.

8 I am going call Mr. Butler back up because I -- that's  
9 Mr. Rice's sentence. I call Mr. Butler back up because I want  
10 to impose the same condition because I've talked about the  
11 toxic mix of alcohol and all of that. So this defendant too  
12 shall participate in a program -- this defendant being  
13 Mr. Dylan Wayne Butler -- in a program of treatment for alcohol  
14 abuse as directed by the probation office. If enrolled in an  
15 alcohol treatment program, the defendant shall abstain from  
16 consuming alcoholic beverages during treatment and shall  
17 continue abstaining for the remaining period of supervision.  
18 The defendant shall contribute to the cost of treatment in  
19 accordance with the probation office's copayment policy.

20 Now, that is your complete sentence, Mr. Butler.

21 Mr. Dedmon. The court has considered the advisory  
22 guideline computations and the sentencing factors as well as  
23 all the evidence before it, including the various motions that  
24 have been filed. And it is the judgment of the court that the  
25 defendant, Deryl Paul Dedmon, is sentenced to a 60-month term



1 of imprisonment as to Count 1 and a 600-month term of  
2 imprisonment to Count 2 to run concurrently.

3 This sentence shall run concurrently with the sentence  
4 imposed in Hinds County, Mississippi, Circuit Court cause  
5 number 11-1-260.

6 The term of imprisonment shall be followed by a  
7 three-year term of supervised release as to Count 1, and a  
8 five-year term of supervised release as to Count 2 to run  
9 concurrently. These terms of supervised release are subject to  
10 the standard and mandatory conditions as listed on the judgment  
11 order in addition to the following special conditions:

12 The defendant shall participate in a program of  
13 testing and/or treatment for alcohol, drug abuse as directed by  
14 the probation office. If enrolled in an alcohol drug treatment  
15 program, the defendant shall abstain from consuming alcoholic  
16 beverages during treatment and shall continue abstaining for  
17 the remaining period of supervision. The defendant shall  
18 contribute to the cost of treatment in accordance with the  
19 probation office copay payment policy.

20 The court finds that the defendant does not have the  
21 ability to pay a fine and no fine is ordered. It is further  
22 ordered that the defendant pay a special assessment fee of  
23 \$200 -- that's \$100 per count -- which is due immediately.

24 That's your sentence, Mr. Dedmon.

25 As the court has noted, it has considered the advisory

1 guideline computations and the sentencing factors under  
2 18 USC 3553(a). The court has considered these defendants'  
3 history and their characteristics. The court has also  
4 considered the unusual circumstances, the extraordinary  
5 circumstance of this case, and the peculiar seriousness and  
6 gravity of the offenses that they committed.

7 I've paid special attention to the plea agreements and  
8 the recommendations of the United States. I believe that these  
9 sentences -- excuse me. I also want to note that I've read  
10 every letter they are made a part of the file kept under seal.  
11 I have read every letter that's been submitted on behalf of any  
12 department and all of the defendants.

13 I believe these sentences provide just punishment to  
14 each of these defendants and equally important I believe that  
15 these sentences will serve as an adequate deterrent to others,  
16 and I hope that these sentences will discourage others from  
17 heading down a similar path, a similar life-altering path. I  
18 have considered the sentencing guidelines and its policy  
19 statements.

20 These sentence are the result of much thought and  
21 deliberation. These sentences will not will not bring back  
22 James Craig Anderson nor will they restore to these defendants  
23 the lives they enjoyed prior to 2011. This court knows now  
24 that James Anderson's mother is still alive and she's 89 years  
25 old. She lived through the horrors of the old Mississippi, and

1 the court hopes that she and her family can find peace in  
2 knowing that with these sentences in the new Mississippi,  
3 justice is truly blind. Justice, however will not be complete  
4 unless these defendants -- each of these defendants -- used the  
5 remainder of their lives to learn from this experience and  
6 fully commit to making a positive difference in the new  
7 Mississippi.

8 Finally, the court wishes for these defendants too,  
9 that they also find peace.

10 Turning to probation, is there anything further from  
11 probation?

12 PROBATION OFFICER: No, Your Honor.

13 THE COURT: Is there anything further from the  
14 government?

15 MR. BEER: No, Your Honor. Thank you.

16 THE COURT: Is there anything further from the  
17 defendants?

18 MS. BRUMLEY: No, Your Honor.

19 MR. MARTIN: No, Your Honor.

20 MS. STEWART: No, Your Honor.

21 THE COURT: The defendants are remanded to the custody  
22 of the United States Marshal to be turned over to the custody  
23 of the Bureau of Prisons. This concludes this matter for  
24 today. Court is adjourned.

25 (Recess)

## CERTIFICATE OF REPORTER

I, CHERIE GALLASPY BOND, Official Court Reporter, United States District Court, Southern District of Mississippi, do hereby certify that the above and foregoing pages contain a full, true and correct transcript of the proceedings had in the aforementioned case at the time and place indicated, which proceedings were recorded by me to the best of my skill and ability.

I certify that the transcript fees and format comply with those prescribed by the Court and Judicial Conference of the United States.

This the 23rd day of August, 2015.

s/ *Cherie G. Bond*  
Cherie G. Bond  
Court Reporter